



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,749	07/27/2001	Roger C. Williams	BIW - EC	9082

7590 09/10/2003  
Risto A. Rinne, Jr.  
Suite A  
2169 East Francisco Blvd.  
San Rafael, CA 94901

EXAMINER

NGUYEN, TRUC T

ART UNIT PAPER NUMBER

2833

DATE MAILED: 09/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/916,749

Applicant(s)

WILLIAMS, ROGER C.

Examiner

Truc T. T. Nguyen

Art Unit

2833

4

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 2-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 is/are allowed.
- 6) ☒ Claim(s) 2, 4, 5 and 7-11 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: *Examiner's attachment*.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/1/03 has been entered.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Kehl et al (US 3,842,497).

Regarding claim 2, Kehl et al. disclose an electrical contact (20) comprises:

a plurality of tines (34) providing an inner arc (E2, see Examiner's attachment) includes a radius (R2, see Examiner's attachment) that is less than the radius (R1, see Examiner's attachment) of the pin (26) , see Figure 4), wherein a chord (E1, see Examiner's attachment) across the inner arc is disposed on a same side of said at least one of said plurality of tines as is said pin.

Art Unit: 2833

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4, and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kehl et al (US 3,842,497).

Regarding claim 4, Kehl substantially disclose the claimed invention except that the tines formed of a high yield strength of metal.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a high yield strength metal into the tines, since it has been held that to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin, 125 USPQ 416*.

Regarding claims 7-9, modified contact of Kehl disclose the tine includes an inside arc that has a radius that is less than the radius of the pin, wherein the tines extend radially away from a center when the pin is inserted therethrough.

Regarding claim 10, modified contact of Kehl disclose the tines includes a first outside diameter that is proximate a tip and a second outside diameter disposed at a distal end that is greater than the first outside diameter, wherein the tines includes a progressive increase in the outside diameter from the tip to the distal end.

Art Unit: 2833

Regarding claim 11, modified contact of Kehl disclose a hood (34) and a gap (32) exist intermediate of tines and inside diameter of the hood is substantially identical along the longitudinal length of the tines when the pin (10) is mated inside the socket.

6. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kehl et al (US 3,842,497) in view of Kerek (6,250,974 B1).

Regarding claim 5, modified contact of Kehl substantially disclose the claimed invention except the first stage having a wall thickness that is thicker than a wall thickness of a second stage.

Kerek teaches a contact (20) having plurality of tines (24), and each of tines having a first stage section (close to distal end approximate to opening 16) with a first wall thickness, and a second a second stage section (opposite to first stage section, close to section 22) with a second wall thickness, wherein the second wall thickness is thicker than the first wall thickness.

#### ***Allowable Subject Matter***

7. Claims 3 is allowed.

8. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record fail to teach the second stage of the tines includes a reverse taper portion.

Art Unit: 2833

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. T. Nguyen whose telephone number is 703-306-4004. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on 703-308-2319. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

A handwritten signature in black ink, appearing to read 'T. Nguyen', with a long horizontal line extending to the right.

T. Nguyen  
8/23/04

Fig. 3.

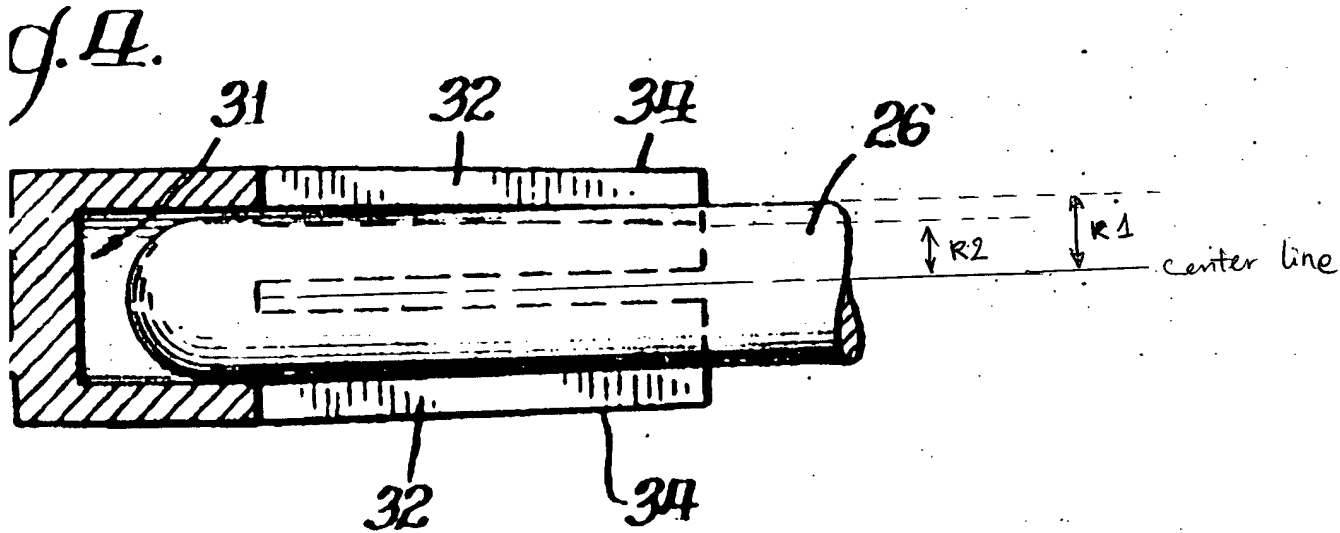
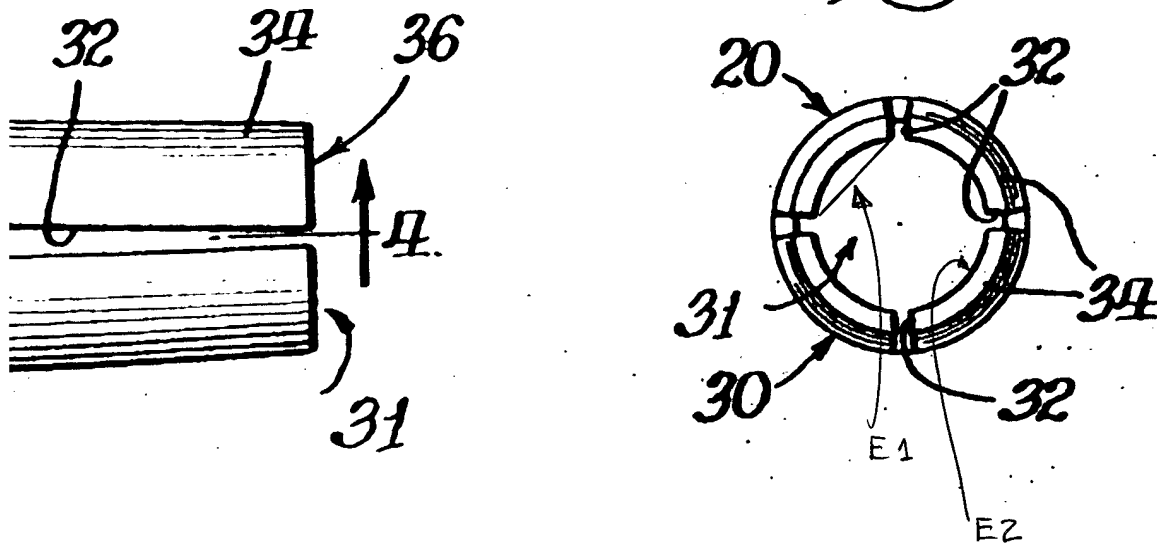


Fig. 5.

Inventors:  
Lawrence J. Kehl  
Robert H. Janis  
Tedford H. Spaulding

By *Paul H. Gellacher*